IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 21342 of 2000

Between:

R.Madhava Rao, S/o.Shri Pulla Rao
3-4-15/9A Barkathpura,
Hyderabad

..... PETITIONER

AND

1 A.P.Urban Development & Housing Corporation, through its

Vice Chairman (Managing Director)/ Chair Person O/o.Collectorate,

Nampally Station Road, Hyderabad
2 The District Manager A.P.Urban Development & Housing Corporation
O/o.Collectorate, Nampally Station Road
Hyderabad
3 Municipal Corporation of Hyderabad, through its Commissioner
at Tank Bund Road, Hyderabad
4 The Project Officer, Housing, UCD,
Municipal Corporation of Hyderabad, at Tank Bund Road,
Hyderabad
5 The Revenue Divisional Officer, Secunderabad Division, at

Secunderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or writs, order or direction, declaring the action of the respondents in carving out the plots and for construction of dwelling houses under Azad Chandra Sekhar Nagar, East Marredpally Scheme on the 50 ft wide road towards northern side of the petitioners plot bearing No.114 forming part of the approved layout NO.403/E/1960 Dt.06/01/1960 of Nehrunagar Cooperative Housing Society Limited, East Marredpally, Secunderabad as illegal and arbitrary by directing the respondents not to make any constructions and to leave the said road as per approved plan to the extent of its width, and award costs.

Counsel for the Petitioner:MR.K.RAGHUVEER REDDY

Counsel for the Respondent Nos.1 and 2:MR.V.CH.NAIDU

Counsel for Respondent Nos.3&4: Mr.Rama Rao Ganta

Counsel for the Respondent No 5: G.P. FOR COOPERATION

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21342 OF 2000

ORDER:

Though interlocutory applications are listed, having regard to the submission of the learned counsel for the petitioner, the Writ Petition itself is being disposed of finally.

It is the case of the petitioner that he purchased plot No.114 admeasuring 266.66 Sq.yards in East Marredpally in a public auction conducted by Income Tax Department on 21.3.1984. He alleged that first respondent Corporation is making attempts to lay plots for construction of dwelling houses under Urban Permanent Housing Programme at Azad Chandrasekhar Nagar, East Marredpally, as a result of which the existing road which forms part of the lay out would be removed and the petitioner would be denied access to the plot and making his plot useless. Therefore, he filed the Writ Petition seeking a declaration that the action of the first respondent Corporation in constructing houses under the relevant scheme is illegal and arbitrary.

In the counter affidavit filed by the District Manager of A.P.State Housing Corporation it is stated that by implementing the scheme the same would not cause any prejudice to the petitioner nor he would be deprived of his property.

Be that as it is, the learned counsel for the petitioner, Sri Ragurveer Reddy submits that first respondent has agreed to allot alternate land to the petitioner as the construction of dwelling houses under the scheme is already completed. Therefore, the petitioner wants to pursue the remedy with first respondent. The petitioner may approach the first respondent for redressal.

With the above observations, the Writ Petition is disposed of. No costs.

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(V.V.S.RAO, J)

24.8.2004

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To

1 The Vice Chairman (Managing Director)/ Chair Person,

A.P.Urban Development & Housing Corporation

O/o.Collectorate, Nampally Station Road, Hyderabad

2 The District Manager, A.P.Urban Development & Housing Corporation
O/o.Collectorate, Nampally Station Road, Hyderabad

3 The Commissioner, Municipal Corporation of Hyderabad,
Tank Bund Road, Hyderabad

4 The Project Officer, Housing, UCD,
Municipal Corporation of Hyderabad, Tank Bund Road,
Hyderabad

5 The Revenue Divisional Officer, Secunderabad Division,

Secunderabad

6. 2 CCs to the G.P. for Cooperation, High Court Bldgs., Hyderabad

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